## Remarks

This Amendment is filed in reply to the non-final Office Action mailed January 8, 2007. The applicant has amended claims 1, 19, 24, 39, 48-53, and 60 for the purpose of clarifying the invention. Claims 1, 3-5, 7-10, 12-24 and 39, 41-46, 48-60 are pending in the application and submitted for reconsideration at this time.

### A. Rejections Under U.S.C. § 112

Claims 1,3-5, 7-10, 12-24, 39, 41-46, 48-60 stand rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention.

With respect to claim 1, the limitation "presenting a user a series of questions targeted to the at least one specific clinical trial" corresponds to the process of providing the user with a questionnaire that includes questions that are particularly relevant in determining if a user meets the qualification to participate in the at least one clinical trial as discussed in the specification, for example, at page 15. The limitation "providing a user with an application for participation" corresponds to a form (e.g., "application") specifically requesting that the clinical trial site hosting the clinical trial accept the user as a participant in the clinical trial. These are two very distinct steps. In addition, an application is not a consent or enrollment form. Consent or enrollment forms are documents that are executed after the execution of an application form and require that the party executing the forms agree to certain terms and conditions or to participation in the clinical trial. In view of the preceding discussion, it is believed that the rejection is overcome for claims independent claims 1, 19, 24, and 39 and the claims that depend there from. Withdrawal of the rejection is respectfully requested.

With respect to claim 48, the applicant has amended the claim to recite a "system" instead of a "method." Similarly, claims 49-53 have been amended to recite that a system is

being claimed. We believe that the rejection is overcome and withdrawal of the rejection is respectfully requested.

With respect to claim 60, the applicant has amended the claim to recite a positive step that is executed by the software code. We believe that the rejection is overcome and withdrawal of the rejection is respectfully requested.

**Rejections Under 35 U.S.C. § 103**

Claims 1, 3-5, 7-14, 17-24, 39-43, 46-50, 53-57 and 60 stand rejected under 35 U.S.C. §103 as being unpatentable over Knight US Application Publication No. 2002 in view of Schmidt .

Claim 1, 19, 24 and 39, as amended, now recite if the user prequalifies for the at least one specific clinical trial, providing the user with an application for the user to request to be a participant in the specific clinical trial at a clinical trial site for the specific clinical trial; and if the user's application is accepted by a clinical trial site for the specific clinical trial, providing the contact information for the clinical trial site. The Knight publication nor the provisional application on which the Knight publication claims priority teaches this limitation. The Knight publication and the provisional application 60/227,484, on which the Knight publication claims priority, merely discloses providing site contact information and other trial information to the user if the trial is not proprietary and only contact information if it is proprietary. In both cases, contact information is provided to the user once it has been determined that the user has prequalified for the clinical trial based on the responses to targeted questions about the clinical trial. Neither the Knight publication nor the provisional application 60/227,484 teaches providing clinical trial site information only after the user's an application for applying to participate in a specific clinical trial has been accepted. Accordingly, Knight does not teach or suggest the invention recited by independent claims 1, 19, 24, and 39.

Schmidt does not cure the deficiencies of Knight. Schmidt discloses providing the user with a consent or enrollment form. An application form is neither an enrollment or consent form. In addition, Schmidt fails to disclose presenting a user with clinical trial site information after a user's application for participation has been accepted as now claimed by claims 1, 19, 24, and 39. Accordingly, claims 1, 19, 24, and 39 are not taught or suggested by the combination of Knight and Schmidt.

The claims 3-5, 7-14, 17, 19, 20-23, 40-43, 46-50, 53-57 and 60 which depend from independent claims 1, 19, 24 and 39 are not unpatentable for at least the reasons discussed with respect to claims 1, 19, 24 and 39.

Claims 15, 16, 44, 45, 51, 52, 58, and 59 stand rejected under 35 U.S.C. §103 as being unpatentable over Knight US Application Publication No. 2002 in view of Schmidt and Krofton.

Krofton does not cure the deficiencies of Knight and Schmidt. Accordingly, claims 1, 19, 24, and 39 are not taught or suggested by the combination of Knight, Schmidt and Krofton. Claims 15, 16, 44, 45, 51, 52, 58, and 59 which depend from independent claims 1, 19, 24 and 39 are not unpatentable for at least the reasons discussed with respect to claims 1, 19, 24 and 39.

**B. Conclusion**

In view of the above, it is respectfully submitted that the present invention is allowable over the references relied upon in the Office Action. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below. The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 50-4047 (25737.0002).

Respectfully submitted,

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Dated: July 2, 2007 By: _____

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